

3637



ALAN J. DIXON
Secretary of State

INDEX DIVISION
(RULES SECTION)

ILLINOIS REGISTER

Rules and Regulations of Governmental Agencies

VOLUME NUMBER ONE

EDITOR
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INDEX DEPARTMENT
RULES SECTION

ISSUE NUMBER TWENTY-FOUR

490 CENTENNIAL BUILDING
SPRINGFIELD, IL 62756
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JAN 5 1978

WEEKLY PUBLICATION

ISSUE DATE - DECEMBER 9, 1977

ILLINOIS STATE
DOCUMENT DEPOSITORY

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NOTICE

AS OF THIS DATE THE ILLINOIS REGISTER, PUBLISHED PURSUANT TO THE ILLINOIS ADMINISTRATIVE PROCEDURE ACT, IS APPLICABLE ONLY TO THE FOLLOWING STATUTES AND DEPARTMENTS IN PART.

EFFECTIVE JANUARY 1, 1978 THE ACT WILL APPLY TO ALL STATE AGENCIES.

Department on Aging	11. Illinois Water Well Construction Code (Chapter 111½, Paragraph 116.118)	(Chapter 114½, Paragraph 117.1)
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1. School Code (Chapter 122, Paragraph 1A-7)	22. Illinois Poison Prevention Packaging Act (Chapter 111½, Paragraph 297)	12. Pharmacy Practice Act (Chapter 91, Paragraph 55.3-1)
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1. Community currency exchanges (Chapter 16½, Paragraph 49.3)	26. Illinois Clinical Laboratory Act (Chapter 111½, Paragraph 628-108)	16. Nursing Home Administrators Licensing Act (Chapter 111½, Paragraph 35.133)
Department of Insurance	27. Registration of laser systems (Chapter 111½, Paragraph 709)	17. Physical Therapy Registration Act (Chapter 91, Paragraph 22.3-1)
1. Illinois Insurance Code (Chapter 73, Paragraph 1019.1)	28. Mobile Home and Mobile Home Park Act (Chapter 111½, Paragraph 732.1)	18. Physician's Assistants Practice Act (Chapter 91, Paragraph 212.1)
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5. Alcoholism and Intoxication Treatment Act (Chapter 91½, Paragraph 510.01)	36. Illinois Food Drug and Cosmetic Act (Chapter 111½, Paragraph 522.1)	26. Social Workers Registration Act (Chapter 23, Paragraph 5302.1)
6. Specialized Living Centers Act (Chapter 91½, Paragraph 603.06)	37. Prevent the preparation, manufacture, packing storing or distribution of food intended for sale, or the sale of food under insanitary, unhealthful or unclean conditions (Chapter 56½, Paragraph 77.1)	27. Real Estate Brokers and Salesmen License Act (Chapter 114½, Paragraph 125)
Department of Public Aid	38. Distribution of pasteurized milk and pasteurized milk products (Chapter 56½, Paragraph 130.1)	28. Structural Engineering Act (Chapter 131½, Paragraph 3b)
1. Illinois Public Aid Code (Chapter 23, Paragraph 12-13)	39. Grade A Milk and Grade A Milk Products (Chapter 56½, Paragraph 217.1)	29. Tree experts (Chapter 5, Paragraph 125)
Department of Public Health	40. Family Practice Residency Act (Chapter 111½, Paragraph)	30. Veterinary Medicine and Surgery Practice Act (Chapter 91, Paragraph 124.27)
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2. Prophylactic medicines to indigent rheumatic fever patients (Chapter 111½, Paragraph 22.2)	42. Structural Pest Control Act (Chapter 111½, Paragraph 2225)	32. Funeral directing and embalming (Chapter 111½, Paragraph 73.21a)
3. Prevention of certain communicable diseases (Chapter 111½, Paragraph 22.13)	43. High Blood Pressure Control Act (Chapter 111½, Paragraph)	33. Architectural Act (Chapter 10½, Paragraph 4b)
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5. Anti-polio vaccine (Chapter 111½, Paragraph 22b)	45. Home Health Agency Licensing Act (Chapter 111½, Paragraph)	
6. Nursing homes, sheltered care homes and homes for the aged (Chapter 111½, Paragraph 35.16b)		Savings and Loan Commission
7. Vital Records Act (Chapter 111½, Paragraph 73-3.1)		1. Regulation of mortgage bankers (Chapter 16½, Paragraph)
8. Registration of marriages, divorces and annulments (Chapter 111½, Paragraph 73-53.1)		
9. Hospitals to render hospital emergency service (Chapter 111½, Paragraph 86.6)		Board of Vocational Rehabilitation
10. Illinois Plumbing License Law (Chapter 111½, Paragraph 116.62)		1. Vocational Rehabilitation of Disabled Persons (Chapter 23, Paragraph 3434a)
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NOTICE BY THE DEPARTMENT OF FINANCIAL INSTITUTIONS
OF THE STATE OF ILLINOIS
OF THE ADOPTION OF RULES OF PRACTICE AND
PROCEDURE TO BE FOLLOWED IN THE
FORMULATION AND ISSUANCE OF
SCHEDULES OF MAXIMUM
RATES FOR CHECK
CASHING AND
WRITING OF MONEY
ORDERS BY COMMUNITY
AND AMBULATORY
CURRENCY EXCHANGES

NOTICE

PLEASE TAKE NOTICE THAT on December 2, 1977 pursuant to Section 19.3 of The Currency Exchange Act of Illinois (Illinois Revised Statutes Chapter 16 1/2; §49.3); and Section 5, 8 and 17 of the Illinois Administrative Procedure Act (Illinois Revised Statutes Chapter 127; §§ 1005, 1008 and 1017), the Director of the Department of Financial Institutions of the State of Illinois formulated, issued and adopted "Rules of Practice and Procedure of the Department of Financial Institutions To Be Followed in the Formulation and Issuance of Schedules of Maximum Rates for Check Cashing and Writing of Money Orders by Community and Ambulatory Currency Exchanges." Said Rules were filed with the Secretary of State on December 2, 1977 and, pursuant to Section 6(c)2 of the Illinois Administrative Procedure Act (Illinois Revised Statutes, Chapter 127, §1006(c)2), became effective as of December 2, 1977.

Notice of the proposed adoption of these Rules was published in the Illinois Register on October 14, 1977. In accord with that notice, the Director of the Department of Financial Institutions conducted full and open public hearings on the proposed Rules on November 21, 1977, in Room 1818, State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois, and received all written submissions filed by interested parties pursuant to the notice. Before formulating, issuing and adopting said Rules, the Director of the Department of Financial Institutions thoroughly considered all views, comments, arguments and data either offered orally under oath at the public hearing on November 21, 1977, or submitted in writing by interested parties pursuant to the notice in the Illinois Register on October 14, 1977. The full text of said Rules, which became effective on December 2, 1977, is set forth hereafter.

DESCRIPTION OF THE SUBJECT
MATTER AND ISSUES INVOLVED

The "Rules of Practice and Procedure of the Department of Financial Institutions to be Followed in the Formulation and Issuance of Schedules of Maximum Rates for Check Cashing and Writing of Money Orders by Community and Ambulatory Currency Exchanges", the full text of which is set forth hereafter, cover the following subject matter and issues:

1. Procedures and criteria to be followed by the Director of the Department of Financial Institutions in establishing maximum rate schedules for the cashing of checks and writing of money orders by community and ambulatory currency exchanges;
2. Prohibition against and penalties for charging more than the rates set forth in the maximum rate schedule;
3. Procedures to be followed for charging less than the applicable maximum fee schedule;
4. Requirements for the posting and display of fee schedules on the premises of community currency exchanges and at the locations served by ambulatory currency exchanges;
5. Prohibitions against and sanctions for charging more than posted fees; and
6. The form and procedure for the submission, consideration and disposition of petitions filed by interested parties requesting the promulgation of new Rules or the amendment or repeal of any of the Rules set forth hereafter;

COMPLETE TEXT OF RULES
EFFECTIVE DECEMBER 2, 1977

TITLE: Rules of Practice and Procedure of the
Department of Financial Institutions to
be Followed in the Formulation and Issuance

of Schedules of Maximum Rates for Check Cashing and the Writing of Money Orders by Community and Ambulatory Currency Exchanges.

ARTICLE I:

AUTHORITY

These rules are issued by the Director of the Department of Financial Institutions (hereinafter referred to as the "Director") pursuant to Sections 19.3 of the Currency Exchange Act (Illinois Revised Statutes, Chapter 16 1/2; §49.3) and Sections 5, 8 and 17 of the Illinois Administrative Procedure Act (Illinois Revised Statutes, Chapter 127; §§ 1005; 1008 and 1017).

ARTICLE II:

PURPOSES

Pursuant to the authority set forth in Article I, these Rules accomplish the following purposes:

A. Establish the procedures and criteria to be followed by the Director in establishing maximum rate schedules for the cashing of checks and writing of

money orders by community and ambulatory currency exchanges.

B. Establish the procedures to be followed for charging less than the applicable maximum fee schedule;

C. Establish requirements for the display of fee schedules on the premises of community currency exchanges and at the location served by ambulatory currency exchanges.

D. Establish the form and procedure for the submission, consideration and disposition of petitions filed by interested parties requesting the promulgation of new Rules or the amendment of any of the Rules set forth hereafter.

ARTICLE III
PROCEDURE AND CRITERIA FOR RATE MAKING

Rule 3.01

Types of Rates to be Established by the Director

The Director shall establish maximum rate schedules for fees charged for check cashing and the issuance of money orders by community and ambulatory currency exchanges. Such

schedules of maximum fees to be established by the Director may provide maximum fees for community currency exchanges which may be different than the maximum fees for ambulatory currency exchanges. Such schedules of maximum fees may also provide for fees for cashing checks which are part of any direct delivery system established with any currency exchange, and which are presented for cashing by the properly identified Payee shown on the face thereof, which fees may be different than the maximum fees for cashing all other checks. An example of this latter category of checks is Illinois Public Aid checks delivered directly to community currency exchanges pursuant to a direct delivery system with the Illinois Department of Public Aid.

Rule 3.02

Criteria

In establishing the maximum rate schedules set forth in Rule 3.01, the Director will consider the following criteria:

1. Rates charged in the past for these services;
2. Rates charged by banks or other busi-

ness entities for rendering the same or similar services;

3. The cost and expense attributable to rendering the service and the time and effort actually expended in rendering the service;
4. Rates charged by currency exchanges or other similar institutions located in other states for the same or similar services; and
5. Such other facts which the Director deems relevant.

Rule 3.03

Matters to be Considered in Setting Rates

In establishing the maximum rate schedules set forth in Rule 3.01, the Director shall consider the oral and written submissions of interested parties as set forth in Rule 3.05 herein. In addition, the Director may consider 1) any of the files, records and documents on file at the Department of Financial Institutions which have been filed or submitted by community or ambulatory currency exchanges pursuant to the Currency Exchange Act (Illinois Revised Statutes, Chapter 16 1/2; §§30ff), 2) any audit or examination reports of currency exchanges on file at the Department prepared by the Department pursuant to the Currency Exchange Act (Illinois Revised Statutes, Chapter 16 1/2; §30ff) and 3) generally recognized technical facts within the Department's specialized

knowledge relating to community and ambulatory currency exchanges.

Rule 3.04

Submission of Additional Information Required by
the Director

In addition to the matters set forth in Rule 3.03, if at any time the Director deems it appropriate to secure any further information from any community or ambulatory currency exchange in order to establish the maximum rate schedules set forth in Rule 3.01, the Director may require any such currency exchange or exchanges to submit additional data or information. The Director may require that such additional information be submitted under oath, or on forms prescribed by the Director, or both.

Rule 3.05

Oral and Written Submissions Allowed

All interested persons may submit data, views, comments or arguments with respect to the maximum rate schedules to be established pursuant to Rule 3.01; and these submissions may be made either orally or in writing, or both, provided that such submissions comply with the requirements of these Rules.

Rule 3.06Procedure for Oral SubmissionsSection 1
Public Hearings

The Director shall conduct public hearings on the establishment, revision or modification of the maximum rate schedules described in Rule 3.01. The first of these hearings will be conducted on January 9 and 10, 1978, from 9:00 AM to 12:30 PM and from 1:30 PM to 5:00 PM in Room 1818, State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois. The next such hearing will be conducted in February of 1979 and thereafter hearings will be conducted annually in the month of February. Notification of the exact date or dates, times and location of the annual February hearings will be published in the Illinois Register at least forty-five (45) days prior to the commencement of the first day of the hearings. In addition, on a form prescribed by the Director, each community and ambulatory currency exchange shall prominently display a notice of the public rate-making hearings on the premises of the community currency exchange or at the location served by the ambulatory exchange, as the case may be, in a conspicuous place so that it is clearly

legible to customers for a continuous period of 30 days prior to the hearings.

Section 2
Manner of Making Oral Submissions
at Public Hearings

Any interested person who gives timely notice to the Director of his intention to do so as set forth in Section 3 of Rule 3.06 may orally submit data, views, comments or arguments by testifying under oath at the public hearings with respect to the maximum rate schedules to be established by the Director.

Section 3
Notice of Intention to
Testify at Public Hearings

Any interested party wishing to testify under oath at the public hearings and submit data, views, arguments or comments on the maximum rate schedules to be established by the Director must give written notice to the Director of his or her intention to do so at least five (5) days prior to the commencement of rate-making hearings. Such notice may be filed in person or by mail with the Director of the Department of Financial Institutions either at the State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois 60601, or at 227 South Seventh Street, Springfield, Illinois 62706. Such notice must be received by the Director no later than 5:00 PM on the

fifth day preceding the commencement of the hearing. In the event that the deadline for the filing of such notice falls on a day when the Department is not open for business, then the deadline will be extended to the next available date on which the Department is open for business. Any person failing to file timely notice under this Section will not be permitted to testify at the public hearings. However, any interested person who fails to file timely notice under this Section, shall not be precluded from submitting his or her views, comments, data or arguments in writing in accord with the requirements of Rule 3.07. With respect to the rate-making hearings scheduled to take place on January 9 and 10, 1978, any interested person wishing to orally offer views, comments, data or arguments by testifying under oath at said hearings must file notice of his or her intention to do so with the Director as previously set forth no later than 5:00 PM on January 4, 1978.

Section 4
Availability of
Transcript of Proceedings

The proceedings of the public rate-making hearings shall be recorded and a transcript of the proceedings will be made available to any person at his or her cost and expense. Orders for such a transcript should be

placed directly with the reporting service responsible for recording the proceedings.

Section 5
Questioning of
Persons Testifying

The Director, or any person designated by the Director to assist him in the conduct of the public hearings pursuant to Rule 3.09 may ask questions of persons testifying at said hearings.

Rule 3.07

Procedure for Filing Written Submissions

In addition to or in lieu of offering oral testimony as previously described, any interested person may submit his or her views, comments, data or arguments on the maximum rate schedules to be established by the Director in writing by filing said written submission with the Director by no later than 5:00 PM of the last day of the scheduled public hearings. Such written submissions may be filed in person or by mail with the Director of the Department of Financial Institutions either at the State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois 60601, or 227 South Seventh Street, Springfield, Illinois 62706. Such written submissions must be received by the Director no later than 5:00 PM of the last day of

the scheduled rate-making hearings. In addition, within seven days of the last day of the scheduled rate-making hearings, any interested party may file a written submission in rebuttal to either any written submission filed by any other party or any oral testimony offered by any other party pursuant to Section 2 of Rule 3.06. Any written submission which is not timely filed will not be considered by the Director in establishing the maximum rate schedules. With respect to the rate-making hearings scheduled to take place on January 9 and 10, 1978, any interested person wishing to submit views, comments, data or arguments in writing must do so as previously set forth by no later than 5:00 PM on January 10, 1978; any written rebuttal as previously described must be filed by no later than 5:00 PM on January 17, 1978.

Rule 3.08

All Written Submissions Available For Public Inspection

All written submissions filed timely with the Director pursuant to Rule 3.07 will be available for public inspection at any time when the Department is open for business either at the State of Illinois

Building, 160 North LaSalle Street, Chicago, Illinois,
or at 227 South Seventh Street, Springfield, Illinois.

Rule 3.09

Persons Authorized to Assist Director

The Director may seek and contract for legal or technical assistance and advice with persons, partnerships, corporations or businesses who are not employees of the Department in connection with the conduct of the rate-making hearings and the establishment of the maximum rate schedules. The Director may designate any such person or persons and one or more employees of the Department to assist him in the conduct of the public hearings as previously set forth and in the establishment of the maximum rate schedules.

Rule 3.10

Filing and Effective Date of Maximum Rate Schedules

With respect to the rate-making hearings scheduled to take place on January 9 and 10, 1978, the Director will issue and adopt maximum rate schedules for check cashing and writing of money orders and file said rate schedules with the Rules Section of the Index Department of the Secretary of State in Springfield, Illinois on

January 27, 1978. Said rates will be effective on February 6, 1978.

With respect to the future revision, modification, amendment or repeal of the maximum rate schedules pursuant to the public hearings to be conducted annually in February of each year commencing in 1979, the Director will file such revisions, modifications, amendments or repeals, as the case may be, with the Rules Section of the Index Department of the Secretary of State in Springfield by no later than sixty (60) days after the last day of the public hearings, provided that if this be a day on which the Rules Section of the Index Department of the Secretary of State is not open for business, then such filing will take place on the next available day on which said Rules Section is open for business. Any revisions, modifications, amendments or repeals of the maximum rate schedules will be effective ten (10) days after such filing.

Rule 3.11

Emergency Rates

In the event that the Director deems it appropriate, pursuant to the requirements of the Illinois Administrative Procedure Act (Illinois Revised Statutes, Chapter 127; Section 1001ff), the Director may adopt and issue emergency maximum rate schedules which may be effective for a period of not longer than 150 days. For

example, in the event that the Director deems it in the public interest to give further consideration and study to those matters to be considered in setting maximum rate schedules as set forth in Rule 3.03 and 3.04, or to obtain additional information relevant to the criteria set forth in Rule 3.02, and it is not feasible to do so within the time limits set forth in Rule 3.10, then the Director may adopt and issue emergency maximum rate schedules as aforesaid.

Rule 3.12

Rates and Rules of Practice and Procedure Available
For Public Inspection

These Rules and any maximum rate schedules, or any revisions, modifications, amendments or repeal thereof, will be available for public inspection at all times on any day the Department of Financial Institutions is open for business at the offices of the Department located either at the State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois 60601, or at 227 South Seventh Street, Springfield, Illinois 62706.

ARTICLE IV
PROCEDURE FOR SUBMISSION,
CONSIDERATION AND DISPOSITION
OF PETITIONS SEEKING THE PROMULGATION,
AMENDMENT OR REPEAL OF THESE RULES OF
PRACTICE AND PROCEDURE

Rule 4.01Right to Petition

Any interested person may petition the Director requesting the promulgation of a Rule or Rules of Practice and Procedure for rate-making, or for an amendment, modification, revision or repeal of any of these Rules regarding rate-making.

Rule 4.02Form of Petition

Section 1
Petitions to be in Writing and Signed

The petition should set forth the following:

- a) A statement of whether the promulgation of a new Rule, or the amendment, modification, revision or repeal of a present Rule, is being sought; and
- b-1) If the petition requests the promulgation of a new Rule, the petition should set forth the full text of the suggested Rule; or
- b-2) If the petition requests the amendment, revision or modification of an existing Rule, the petition should identify the existing Rule as to which amendment, revision or modification is being requested and should set forth the full text of the Rule as amended, revised or modified; or

- b-3) If the petition requests the repeal of an existing Rule, the petition should identify the particular Rule as to which repeal is being requested; and
- c) A statement of the Petitioner's reasons for requesting the promulgation, amendment, revision, modification or repeal, as the case may be.

Section 3
Filing of Petition

Such Petition may be filed in person or by mail with the Director of the Department of Financial Institutions, either at the State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois 60601, or at 227 South Seventh Street, Springfield, Illinois 62706.

Rule 4.03

Disposition of Petition

Within thirty (30) days of the receipt of the petition, the Director will notify the petitioner whether the Director will grant the petition and initiate rule-making proceedings in accord with Section 5 of the Illinois Administrative Procedure Act (Illinois Revised Statutes, Chapter 127; Section 1005). If, within thirty (30) days after receipt of the petition, the Director has not initiated such rule-making proceedings,

the petition shall be deemed to have been denied.

ARTICLE V
PROHIBITION AGAINST AND SANCTIONS
FOR CHARGING MORE THAN RATES SET
FORTH IN THE MAXIMUM RATE SCHEDULE

Rule 5.01

Prohibition

Upon the effective date of the maximum rate schedules established by the Director pursuant to these Rules, each and every community or ambulatory currency exchange may not charge more than the applicable maximum rates set forth on said schedules.

Rule 5.02

Sanctions

The Director may impose any of the sanctions authorized by Section 15 of the Currency Exchange Act (Illinois Revised Statutes; Chapter 16 1/2; §45) if he finds that any community or ambulatory currency exchange has violated Rule 5.01 of these Rules.

ARTICLE VI
PROCEDURE FOR CHARGING LESS THAN
APPLICABLE MAXIMUM RATES

Any currency exchange may charge lower fees than those of the applicable maximum fee schedule after filing with the Director a schedule of the fees it proposes to use. Such filing shall be made in writing with the

Director of the Department of Financial Institutions in person or by mail either at the State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois 60601 or at 227 South Seventh Street, Springfield, Illinois 62706. Upon receipt of said schedule of lower fees by the Director, the currency exchange submitting the schedule may not charge more than the fees set forth on said schedule; however, that currency exchange may revert to the maximum fee schedule upon notification of the Director in writing of its intention to do so.

ARTICLE VII
REQUIREMENTS FOR DISPLAY OF FEE SCHEDULES

Rule 7.01

Posting of Fees Required

The rate schedules in effect for any currency exchange, whether said rate schedules are the maximum rate schedules set by the Director or the schedule of lower rates filed with the Director pursuant to Article VI of these Rules, as well as the fees charged for rendering any service authorized by the Currency Exchange Act, shall be prominently displayed on the premises of the community currency exchange or at the location served by the ambulatory currency exchange in the following fashion:

A. In the case of a community currency exchange, each licensee shall post at all times a complete, detailed and unambiguous schedule for all of its fees for the cashing of checks, money orders and other evidences of money, the sale or issuance of money orders, and the rendering of all services authorized by the Currency Exchange Act, in a conspicuous place on its premises, so that it is clearly legible to its customers. The lettering and numerals on this schedule shall be no less than $3/4$ of one inch in height.

B. In the case of an ambulatory currency exchange, each licensee shall post during the entire time it is servicing any location a complete, detailed and unambiguous schedule for all of its fees for the cashing of checks, money orders and other evidences of money, the sale or issuance of money orders, and the rendering of all services authorized by the Currency Exchange Act, in a conspicuous place at the location served by it, so that it is clearly legible to its customers. The lettering and numerals shall be no less than $3/4$ of one inch in height.

Upon the effective date of these Rules, this Article VII supercedes Regulation 12 of the Rules and Regulations for All Community Currency Exchange Licen-

sees which were adopted by the Director on August 13, 1973, and which became effective on September 1, 1973.

Rule 7.02

Prohibition Against Charging More Than Posted Fees

No community or ambulatory currency exchange may charge fees in excess of those posted.

Rule 7.03

Sanctions

The Director may impose any of the sanctions authorized by Section 15 of the Currency Exchange Act (Illinois Revised Statutes, Chapter 16 1/2; §45) if he finds that any community or ambulatory currency exchange has violated either Rule 7.01 or Rule 7.02.

ARTICLE VIII
CONSTRUCTION OF RULES

These Rules shall not be construed to abrogate, modify or limit any rights, privileges or immunities granted or protected by the Constitution or laws of the United States or the Constitution or laws of the State of Illinois. If any provision of these Rules shall be declared unconstitutional or invalid by any court of competent jurisdiction, such declaration shall not invalidate the remaining provisions of these Rules.

ARTICLE IX
EFFECTIVE DATE OF RULES

These Rules shall become effective on December 2, 1977.

I, Edgar F. Callahan, Director of the Department of Financial Institutions of the State of Illinois, hereby certify that the attached hereto is a true and correct copy of Articles I through Article IX, inclusive, of the Rules of Practice and Procedure of the Department of Financial Institutions to be Followed in the Formulation and Issuance of Schedules of Maximum Rates for Check Cashing and the Writing of Money Orders by Community and Ambulatory Currency Exchanges, which were duly issued and adopted by me on the 2nd day of December, 1977. I have determined that it is necessary that these Rules be effective immediately because unless said Rules are effective as of December 2, 1977, it will not be possible to formulate and issue schedules of maximum rates which can be charged for check cashing and writing of money orders by community and ambulatory currency exchanges pursuant to said Rules within 120 days of October 1, 1977 as required by Section 19.3 of the Currency Exchange Law of the State of Illinois (Illinois Revised Statutes, Chapter 16 1/2; Section 49.3), and in conformity with the Illinois Administrative

Procedure Act (Illinois Revised Statutes, Chapter 127; Section 1001 ff). Said Rules are effective as of December 2, 1977 pursuant to Section 6(c)2 of the Illinois Administrative Procedure Act (Illinois Revised Statutes, Chapter 127; Section 1006(c)2).

The statutory authority for the issuance and adoption of these Rules is Section 19.3 of the Currency Exchange Act of Illinois (Illinois Revised Statutes, Chapter 16 1/2; Section 49.3); and Sections 5, 6(c)2, 8, and 17 of the Illinois Administrative Procedure Act (Illinois Revised Statutes, Chapter 127; Sections 1005, 1006(c)2, 1008, and 1017).

Dated this 2nd day of
December, 1977.

/s/ Edgar F. Callahan
Director,
Department of Financial
Institutions,
State of Illinois

NOTICE BY THE DEPARTMENT
OF FINANCIAL INSTITUTIONS
OF THE STATE OF ILLINOIS
OF THE PROPOSED ADOPTION
AND ISSUANCE OF SCHEDULES
OF MAXIMUM RATES
TO BE CHARGED FOR
CHECK CASHING AND
WRITING OF MONEY ORDERS
BY COMMUNITY AND AMBULATORY
CURRENCY EXCHANGES

PLEASE TAKE NOTICE that pursuant to Section 19.3 of the Currency Exchange Act of Illinois (Illinois Revised Statutes, Chapter 16 1/2; §49.3); Sections 5 and 17 of the Illinois Administrative Procedure Act (Illinois Revised Statutes, Chapter 127; §§1005 and 1017); and the "Rules of Practice and Procedure of the Department of Financial Institutions To Be Followed in the Formulation and Issuance of Schedules of Maximum Rates for Check Cashing and Writing of Money Orders by Community and Ambulatory Currency Exchanges", which Rules became effective on December 2, 1977 and were published in the Illinois Register in final form on December 9, 1977, the Director of the Department of Financial Institutions (hereinafter referred to as the "Director") will formulate and issue schedules of maximum rates to be charged for check cashing and the writing of money orders by community and ambulatory currency exchanges.

PLEASE TAKE FURTHER NOTICE that pursuant to Section 6 of the Illinois Administrative Procedure Act (Illinois Re-

vised Statutes, Chapter 127; §1006) and the Rules of Practice and Procedure effective December 2, 1977 said maximum rate schedules will be issued and adopted by the Director and filed with the Secretary of State in final form on January 27, 1978. Said rates will become effective on February 6, 1978.

DESCRIPTION OF THE SUBJECT
MATTER AND ISSUES INVOLVED

Set forth hereafter are proposed maximum rate schedules to be charged for check cashing and writing money orders by community and ambulatory exchanges. Such proposed maximum rates cover the following subject matter and issues:

1. The maximum rates which can be charged by community currency exchanges for check cashing and writing money orders;
2. The maximum rates which can be charged by ambulatory currency exchanges for cashing checks and writing money orders; and
3. The maximum rates which can be charged by community currency exchanges for cashing checks which are delivered directly to that currency exchange by the maker or its agent for pick-up by the payee of the check, personally, and which

are cashed at that currency exchange by the properly identified payee.

TIME, PLACE AND MANNER
IN WHICH ALL INTERESTED PERSONS
MAY PRESENT ALL THEIR VIEWS
CONCERNING THE ISSUANCE OF SCHEDULES OF
MAXIMUM RATES WHICH CAN BE CHARGED
BY COMMUNITY AND AMBULATORY CURRENCY
EXCHANGES FOR CASHING CHECKS AND
WRITING MONEY ORDERS

All interested parties who wish to express their views, comments, data or arguments with respect to the proposed maximum rates set forth hereafter are referred to the "Rules of Practice and Procedure of the Department of Financial Institutions To Be Followed in the Formulation and Issuance of Schedules of Maximum Rates for Check Cashing and Writing of Money Orders by Community and Ambulatory Currency Exchanges."

Pursuant to those Rules, on January 9 and 10, 1978, from 9:00 A.M. to 12:30 P.M. and from 1:30 P.M. to 5:00 P.M. in Room 1818, State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois, the Director will conduct public hearings on said proposed maximum rate schedules. Any interested person wishing to orally offer views, comments, data or arguments

by testifying under oath at said hearings must file notice of his or her intention to do so with the Director. Such notice must be in writing and filed in person or by mail with the Director either at the State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois, or at 227 South Seventh Street, Springfield, Illinois. Such notice must be received by the Director by no later than 5:00 P.M. on January 4, 1978. Any person failing to file timely notice will not be permitted to testify at the public hearings. However, any interested person who fails to file timely notice of his or her intention to testify on January 9 and 10, 1978 shall not be precluded from offering views, comments, data or arguments in writing in accord with the following requirements.

In addition to or in lieu of offering oral testimony on January 9 and 10, 1978, any interested person may submit his or her views, comments, data or arguments on the proposed maximum rate schedules set forth hereafter in writing by filing such written submissions in person or by mail with the Director either at the State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois, or at 227 South Seventh Street, Springfield, Illinois. Such written submissions must be received by the Director by no later than 5:00 P.M. on January 10, 1978. In

addition, any interested person may file a written submission in rebuttal to either any written submission filed by any other party or any oral testimony offered by any other party. Any such written rebuttal must be received by the Director by no later than 5:00 P.M. on January 17, 1978. Any written submission which is not timely filed will not be considered by the Director.

All written submissions on the proposed maximum rates for check cashing and the writing of money orders filed timely with the Director will be available for public inspection at any time when the Department is open for business either at the State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois, or at 227 South Seventh Street, Springfield, Illinois.

COMPLETE TEXT OF
PROPOSED RATES

MAXIMUM RATE
SCHEDULE I
CHECK CASHING
COMMUNITY CURRENCY EXCHANGES

Except for those checks described in Maximum Rate Schedule II, the following is the maximum rate schedule for cashing checks applicable to community currency exchanges:

AMOUNT OF CHECKMAXIMUM FEE

\$.01	to	\$ 20.00	\$.25
20.01	to	40.00	.45
40.01	to	60.00	.65
60.01	to	80.00	.85
80.01	to	100.00	1.05
100.01	to	120.00	1.25
120.01	to	140.00	1.45
140.01	to	160.00	1.65
160.01	to	180.00	1.85
180.01	to	200.00	2.05
200.01	to	220.00	2.25
220.01	to	240.00	2.45
240.01	to	260.00	2.65
260.01	to	280.00	2.85
280.01	to	300.00	3.05
300.01	to	320.00	3.25
320.01	to	340.00	3.45
340.01	to	360.00	3.65
360.01	to	380.00	3.85
380.01	to	400.00	4.05
400.01	to	420.00	4.25
420.01	to	440.00	4.45
440.01	to	460.00	4.65
460.01	to	480.00	4.85
480.01	to	500.00	5.05
500.01	to	520.00	5.25
520.01	to	540.00	5.45
540.01	to	560.00	5.65
560.01	to	580.00	5.85
580.01	to	600.00	6.05
600.01	to	620.00	6.25
620.01	to	640.00	6.45
640.01	to	660.00	6.65
660.01	to	680.00	6.85
680.01	to	700.00	7.05
700.01	to	720.00	7.25
720.01	to	740.00	7.45
740.01	to	760.00	7.65
760.01	to	780.00	7.85
780.01	to	800.00	8.05
800.01	to	820.00	8.25
820.01	to	840.00	8.45
840.01	to	860.00	8.65
860.01	to	880.00	8.85
880.01	to	900.00	9.05
900.01	to	920.00	9.25
920.01	to	940.00	9.45
940.01	to	960.00	9.65

<u>AMOUNT OF CHECK</u>	<u>MAXIMUM FEE</u>
\$ 960.01 to 980.00	\$ 9.85
980.01 to 1,000.00	\$10.05

OVER \$1,000.00 - 1% of the face amount of the check + \$.15

MAXIMUM RATE
SCHEDULE II
DIRECT DELIVERY CHECKS
COMMUNITY CURRENCY EXCHANGES

- A. For the purpose of Maximum Rate Schedule II, "direct delivery checks" are defined as those checks
1. which are subject to an agreement between the maker or its agent and the community currency exchange by which the maker or its agent delivers the checks to the community currency exchange for pick-up by the payee after display by the payee of the requisite identification prescribed by the maker or its agent; and
 2. which are cashed by the payee at the currency exchange to which they have been delivered.
- B. The following is the maximum rate schedule for cashing direct delivery checks applicable to community currency exchanges:

<u>AMOUNT OF CHECK</u>			<u>MAXIMUM FEE</u>
\$.01	to \$ 20.00	\$.10
	20.01	to 40.00	.30
	40.01	to 60.00	.50
	60.01	to 80.00	.70
	80.01	to 100.00	.90
	100.01	to 120.00	1.10
	120.01	to 140.00	1.30
	140.01	to 160.00	1.50
	160.01	to 180.00	1.70
	180.01	to 200.00	1.90
	200.01	to 220.00	2.10
	220.01	to 240.00	2.30
	240.01	to 260.00	2.50
	260.01	to 280.00	2.70
	280.01	to 300.00	2.90

For all direct delivery checks in excess of \$300.00,
the maximum fee is \$3.00

MAXIMUM RATE
SCHEDULE III
MONEY ORDERS
COMMUNITY AND AMBULATORY
CURRENCY EXCHANGES

The following is the maximum rate schedule for writing
money orders applicable to community currency exchanges and
ambulatory exchanges:

<u>AMOUNT OF MONEY ORDER</u>			<u>MAXIMUM FEE</u>
\$.01	to \$ 10.00	\$.50
	10.01	to 50.00	.70
	50.01	to 300.00	.90
OVER \$300.00			1.10

MAXIMUM RATE
SCHEDULE IV
CHECK CASHING
AMBULATORY CURRENCY EXCHANGES

The following is the maximum rate schedule for cashing checks applicable to ambulatory currency exchanges:

<u>AMOUNT OF CHECK</u>	<u>MAXIMUM FEE</u>
\$.01 to \$ 20.00	\$.20
20.01 to 40.00	.30
40.01 to 60.00	.40
60.01 to 80.00	.50
80.01 to 100.00	.60
100.01 to 120.00	.70
120.01 to 140.00	.80
140.01 to 160.00	.90
160.01 to 180.00	1.00
180.01 to 200.00	1.10
200.01 to 220.00	1.20
220.01 to 240.00	1.30
240.01 to 260.00	1.40
260.01 to 280.00	1.50
280.01 to 300.00	1.60
300.01 to 320.00	1.70
320.01 to 340.00	1.80
340.01 to 360.00	1.90
360.01 to 380.00	2.00
380.01 to 400.00	2.10
400.01 to 420.00	2.20
420.01 to 440.00	2.30
440.01 to 460.00	2.40
460.01 to 480.00	2.50
480.01 to 500.00	2.60
500.01 to 520.00	2.70
520.01 to 540.00	2.80
540.01 to 560.00	2.90
560.01 to 580.00	3.00
580.01 to 600.00	3.10
600.01 to 620.00	3.20
620.01 to 640.00	3.30
640.01 to 660.00	3.40
660.01 to 680.00	3.50

<u>AMOUNT OF CHECK</u>		<u>MAXIMUM FEE</u>
\$ 680.01	to \$ 700.00	\$ 3.60
700.01	to 720.00	3.70
720.01	to 740.00	3.80
740.01	to 760.00	3.90
760.01	to 780.00	4.00
780.01	to 800.00	4.10
800.01	to 820.00	4.20
820.01	to 840.00	4.30
840.01	to 860.00	4.40
860.01	to 880.00	4.50
880.01	to 900.00	4.60
900.01	to 920.00	4.70
920.01	to 940.00	4.80
940.01	to 960.00	4.90
960.01	to 980.00	5.00
980.01	to 1,000.00	5.10

OVER \$1,000 - 1/2 of 1% of the face amount of the
check + \$.15



ALAN J. DIXON
Secretary of State

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